

**REMARKS**

Claims 20, 22, 25-27, and 30-50 are pending in the current application. Claims 20, 22, 25-27, and 30-50 currently stand rejected, and claims 20 and 30-33 have been amended. Reconsideration and allowance of claims 20, 22, 25-27, and 30-50 are respectfully requested in light of the preceding amendments and following remarks.

**Examiner Interview**

Applicants thank the Examiner for his time and consideration during the interview of February 25, 2008. During the interview, the parties discussed the current rejections over art of record, particularly the Taira reference, discussed below. Applicants advanced the argument that Taira does not suggest a group of thumbnail pictures stored together, as video and audio data are intermixed with the thumbnail pictures. This argument is further developed below. The parties also discussed the Chen reference, discussed below, and its failure to disclose padding bytes on a recording medium. The Examiner indicated that this distinction would require further consideration of Chen and/or further search.

**Claim Rejections – 35 U.S.C. § 103**

Claims 20, 25-27, 30-33, 35-37, 39-41, 43-45, and 47-49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat 6,483,983 to Takahashi et al. ("Takahashi") in view of US Pat 6,009,234 to Taira et al.

("Taira"). Applicants respectfully traverse this rejection for the reasons detailed below.

With respect to claim 20, the Examiner applied Taira to teach "the group of thumbnail pictures being stored together as a block of menu data." Applicants respectfully submit that Taira does not teach or suggest a group of thumbnail pictures stored together as a block. Rather, Taira discloses thumbnail pictures (90) stored among video and audio data files (90) in a video data area (102) of single file (78), such that the **video and audio data will be interleaved with the thumbnail pictures**, preventing their storage as a block. See Taira, Fig. 5; Col. 11, ll. 39-54. The Examiner interprets Taira as permitting thumbnail pictures to be stored as a block if menu cells (90) include only thumbnail pictures. Applicants respectfully submit that cells (90) do not every include only thumbnail pictures – Taira discloses that some of the titles stored in its file (76) are **audio-only titles**, such that cells (90) corresponding to these audio files cannot be thumbnail pictures. See Taira, Col. 11, l. 44, Col. 12, ll. 15-16. Because of these non-thumbnail picture cells (90), the thumbnails in Taira are not stored together as a block, but interrupted by audio and video data. Thus, Taira does not disclose the thumbnail picture storage arrangement as recited in claim 20.

Takahashi does not cure the above differences between claim 20 and Taira. Because Takahashi, alone or in combination with Taira, does not teach or fairly suggest each and every element of claim 20, these references cannot anticipate or render obvious this claim. Claims 30-33 are equally allowable

over Takahashi at least for being amended to recite a similarly unique thumbnail image storage scheme as claim 20. Claims 25-27, 35-37, 39-41, 43-45, and 47-49 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 20, 25-27, 30-33, 35-37, 39-41, 43-45, and 47-49 under 35 U.S.C. § 102(e) is respectfully requested.

Claims 22, 34, 38, 42, 46 and 50 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi and Taira in view of US Pat 5,917,830 to Chen et al. ("Chen"). Applicants respectfully traverse this rejection for the reasons detailed below.

The Examiner applies Chen for teaching "padding data between at least two of the thumbnail pictures **in the menu data area**" in the dependent claims; however, Applicants respectfully submit that Chen teaches a method of inserting null packets in streaming data **in a decoder**. See Chen, Col. 6, ll. 13-33. Chen does not teach padding data in the source data, such as on a computer readable medium, let alone in a menu data area, nor does a null packet insertion process for streaming data suggest or have the same effect as data padding on the data source. Instead, the need for inserting null packets during decoding suggests that no padding is present in the source data for the thumbnail pictures, the exact opposite of what is recited in the dependent claims. Because Takahashi, alone or in combination with Taira and Chen, fails to teach or suggest each and every element of claims 20 and 30-33 as amended, these references cannot anticipate or render obvious claims 20 and

30-33 as amended. Claims 22, 34, 38, 42, 46 and 50 are allowable at least for depending from an allowable base claim and because Chen does not teach the padding data of these claims. Withdrawal of the rejection to claims 22, 34, 38, 42, 46 and 50 under § 103(a) is respectfully requested.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 20, 22, 25-17 and 30-50 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ryan Alley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By



Ryan Alley, Reg. No. 60,977  
Gary D. Yacura, Reg. No. 35,416  
P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

GDY/REA : tlt